

FILED  
CLERK'S OFFICE  
UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

v.

DARLENE PACHECO,

Defendant.

Case No.

VIOLATION

18 U.S.C. §1344(2) (Bank Fraud)  
18 U.S.C. § 1956(a)(1)(A)(i)  
(Money Laundering)

INFORMATION

The United States Attorney charges:

BACKGROUND

At all times relevant to the charges in this information:

1. DARLENE PACHECO lived in Somerset, Massachusetts.
2. PACHECO worked for Citizens Union Savings Bank ("Citizens Union"), a federally insured financial institution. She worked initially as the head teller in the Somerset, Massachusetts branch, and then, beginning 1998, as the assistant branch manager in the Swansea, Massachusetts branch.
3. As assistant branch manager, PACHECO had authority to issue bank checks and approve loans.
4. From 1993 through 2002, PACHECO devised and executed a scheme to commit bank fraud by stealing money from Citizens Union customer accounts. She accomplished this by forging customer signatures on checks she wrote out of these accounts and then deposited into her own accounts or cashed. She also took out loans under customer names and kept the loan proceeds for herself. In an effort to promote and conceal this scheme, PACHECO engaged in money laundering, by using some of the money she stole to make payments on earlier fraudulent loans. Over its nine-year life-span, this scheme netted

PACHECO a total of approximately \$366,316.

### THE BANK FRAUD SCHEME

#### The Laferriere/Mass. Wrecking Account

5. PACHECO began her scheme in 1993, by forging the signature of her sister, Dawn Laferriere, on checks PACHECO wrote out of a Citizens Union account in the name of Mass. Wrecking Co., an account that Laferriere and her husband controlled. PACHECO made most of the fraudulent Mass. Wrecking Co. checks payable to cash, then cashed them, and kept the money for herself. Others, she made payable to herself and deposited into her own accounts.

6. Between 1993 and 2000, PACHECO stole approximately \$204,597 from the Mass Wrecking Co. account. PACHECO was able to hide the theft from her sister by changing the account address so that the account statements went to PACHECO.

#### Checks From Other Customer Accounts

7. In 2000, PACHECO used the access she had to customer account information, as assistant branch manager, to began stealing money from other Citizens Union customer accounts. In doing so, she abused the position of trust she held at the bank. She identified, as target accounts, those held by customers who she knew and whom she believed would not notice the missing money, and she reviewed their account records to identify funds that she could take.

8. Among those accounts from which she fraudulently took money was that of Irene Myles. On June 23, 2001, PACHECO closed out a \$13,700 certificate of deposit ("CD") that Myles owned.

9. Over the next two months, PACHECO withdrew the \$13,700 from Myles's account. PACHECO deposited approximately \$3,200 of this money into her own Citizen's

Union account; she took approximately \$7,209 in cash for herself; and she used the remainder, approximately \$3,936, to make payments on fraudulent loans she had obtained.

10. While PACHECO handled each of the accounts from which she stole somewhat differently, the Myles account is generally representative.

#### The Fraudulent Loans

11. In addition to fraudulently writing checks out of customer accounts, PACHECO also applied for fraudulent loans in the name of Citizens Union customers, without the customers' knowledge or authorization. She then used her position within the bank to approve these fraudulent loans; she directed the loan documents and statements to post office boxes she controlled, so that the customers would not learn about the loans; and she used the loan proceeds for her personal benefit or to repay other fraudulent loans she had obtained.

12. One of the Citizens Union customers in whose name PACHECO obtained fraudulent loans was Gregory Trafka, her brother-in-law. During 2001, she took out 10 loans in Trafka's name for a total of approximately \$146,000. To keep him from discovering these loans, she had the loan documents and the statements sent to a Post Office box she controlled.

13. PACHECO deposited \$7,550 of the Trafka loan proceeds into her own bank accounts, took \$27,862 in cash for herself, and used the remaining \$110,587 to repay other fraudulent loans she had obtained.

14. While PACHECO handled each of the fraudulent loans somewhat differently, the Trafka loans are generally representative.

#### Proceeds of the scheme

15. PACHECO's bank fraud scheme netted her a total of approximately \$366,316.

She used the money that she stole to pay for illegal drugs for herself – primarily ecstasy and marijuana – as well as for clothes, lottery tickets, and other personal items.

Money Laundering

16. To prevent the fraudulent loans from going into default status, which would have alerted Citizens Union to a problem with these loans, PACHECO used a portion of the fraud proceeds to make payments on these loans. She did this in an effort to promote the scheme and avoid detection.

17. Specifically, on December 5, 2001, PACHECO fraudulently obtained a \$23,000 loan in the name of Gregory Trafka. She used \$20,030 of those loan proceeds to pay off a loan she had fraudulently obtained in Trafka's name on November 27, 2001.

COUNT ONE  
(Bank Fraud)  
18 U.S.C. §1344(2)

18. The U.S. Attorney realleges and incorporates by reference paragraphs 1-17 of this Information, and further charges that:

Between approximately February 1993 and December 2002, in the District of Massachusetts and elsewhere,

DARLENE PACHECO

knowingly executed a scheme to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, a financial institution, namely Citizens Union Savings Bank, by means of false and fraudulent pretenses, representations, and promises.

All in violation of 18 U.S.C. § 1344(2).

COUNT TWO  
(Money Laundering)  
18 U.S.C. § 1956(a)(1)(A)(i)

19. The U.S. Attorney realleges and incorporates by reference paragraphs 1-17 of this Information, and further charges that:

On approximately December 5, 2001, in the District of Massachusetts and elsewhere,


DARLENE PACHECO

knowing that the property involved in a financial transaction represented the proceeds of some form of unlawful activity, namely bank fraud, conducted a financial transaction which in fact involved the proceeds of bank fraud with the intent to promote the carrying on of bank fraud.

All in violation of 18 U.S.C. § 1956(a)(1)(A)(i).

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
Adam J. Bookbinder  
Assistant U.S. Attorney

Dated: February 11, 2005

## Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: \_\_\_\_\_ Category No. II Investigating Agency IRS, FBICity Swansea Related Case Information:County Bristol Superseding Ind./ Inf. \_\_\_\_\_ Case No. \_\_\_\_\_  
Same Defendant \_\_\_\_\_ New Defendant \_\_\_\_\_  
Magistrate Judge Case Number \_\_\_\_\_  
Search Warrant Case Number \_\_\_\_\_  
R 20/R 40 from District of \_\_\_\_\_

## Defendant Information:

Defendant Name Darlene Pacheco Juvenile ☐ Yes ☒ No

Alias Name \_\_\_\_\_

Address 10 Maria Ave., Somerset, MA 02726Birth date (Year only): 1967 SSN (last 4 #): 3019 Sex F Race: Caucasian Nationality: USDefense Counsel if known: James Lawrence Address: 70 Jefferson Blvd., Warwick, RI 02888

Bar Number: \_\_\_\_\_

## U.S. Attorney Information:


AUSA Adam J. Bookbinder Bar Number if applicable 566590Interpreter: ☐ Yes ☒ No List language and/or dialect: \_\_\_\_\_Matter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☒ Regular Process ☐ In Custody

## Location Status:

Arrest Date: \_\_\_\_\_

☐ Already in Federal Custody as \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody \_\_\_\_\_ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by \_\_\_\_\_ on \_\_\_\_\_Charging Document: ☐ Complaint ☒ Information ☐ IndictmentTotal # of Counts: ☐ Petty \_\_\_\_\_ ☐ Misdemeanor \_\_\_\_\_ ☒ Felony 2

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☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date: 2/11/05Signature of AUSA: 

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District Court Case Number (To be filled in by deputy clerk): \_\_\_\_\_

Name of Defendant Darlene Pacheco

## U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>18 U.S.C. § 1344(2)</u>	<u>Bank Fraud</u>	<u>1</u>
Set 2	<u>18 U.S.C. § 1956(a)</u>	<u>Money Laundering</u>	<u>2</u>
Set 3	_____	_____	_____
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: